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OGC 70-1050

24 June 1970

MEMORANDUM FOR: SSA-DDS

SUBJECT: Draft Memoranda Re Reimbursement for Retirement Moves in a Metropolitan Area

1. I would like to suggest the following modifications of your various drafts concerning reimbursement for retirement travel within a metropolitan area.

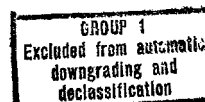
2. My latest opinion on this subject is not really a reversal of the earlier one. It merely updates it; and to the degree that, in combination with later events (Travel Policy Committee action), it opens the way for retirement travel within a metropolitan area, it supersedes the earlier opinion. Please note that it would not have been inconsistent with travel policy in the Agency to have rejected the change in BOB Circular A-56 for this purpose or to have applied some other standard in the first place to CIARDS retirement travel. Thus, the earlier memo was incorrect only in stating what the A-56 rule was at that time.

3. It is only when Mr. Bannerman chooses to modify the regulation in agreement with the Travel Policy Committee recommendation that all the forces are in line to make cases like [redacted] reimbursable. The later case referred to in my opinion may stand on, what I would like to consider, equitable grounds without a change (or clarification) of the regulation. [redacted] case may only be considered after the change in the regulation is approved and then only

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on the grounds that the new regulation is a clarification of the rule existing at the time he retired, making possible a retroactive reversal of the earlier decision not to reimburse him for the move.

4. I appreciate the opportunity to have commented on your drafts to the DDS, the ExecDir-Compt, and to  If the flavor of equity and reconsideration were to replace the concept of reversal, I believe the drafts would more accurately reflect the true situation.

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Assistant General Counsel

OGC:JBU:bg

- Orig & 1 - Addressee
- 1 - Subject - TRAVEL
- 1 - JBU Signer
- 1 - Chrono

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